

House Bill 2230

Sponsored by Representative OSBORNE (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes it a crime to make, have, send or buy fake intimate images. (Flesch Readability Score: 84.4).

Creates the crime of unlawful creation, possession, distribution or purchase of an explicit digital forgery in the first degree. Punishes by a maximum of five years' imprisonment, \$125,000 fine, or both. Creates the crime of unlawful creation, possession, distribution or purchase of an explicit digital forgery in the second degree. Punishes by a maximum of 364 days' imprisonment, \$6,250 fine, or both.

A BILL FOR AN ACT

1
2 Relating to explicit digital forgeries; creating new provisions; and amending ORS 161.005.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A person commits the crime of unlawful creation, possession, distribution**
5 **or purchase of an explicit digital forgery in the first degree if:**

6 (a) **With the intent to harass, humiliate or injure another person, the person creates,**
7 **possesses, distributes or purchases a sexually explicit digitally forged image that appears to**
8 **depict the other person; and**

9 (b) **The other person is a minor at the time of the creation, possession, distribution or**
10 **purchase.**

11 (2) **Unlawful creation, possession, distribution or purchase of an explicit digital forgery**
12 **in the first degree is a Class C felony.**

13 (3) **As used in this section and section 2 of this 2025 Act:**

14 (a) **"Digitally forged image" means an image that has been created, manipulated or al-**
15 **tered using a computer software program, artificial intelligence, editing application or simi-**
16 **lar means so that the image purports to be a photograph, film, videotape, recording, digital**
17 **picture or other realistic visual depiction of an individual.**

18 (b) **"Distribute" means to transfer, publish or exhibit.**

19 (c) **"Sexually explicit" means, with respect to an image, that the image depicts or appears**
20 **to depict an individual's sex organs or the individual engaging in sexual intercourse or oral**
21 **or anal sexual intercourse, as those terms are defined in ORS 163.305, or masturbation.**

22 **SECTION 2. (1) A person commits the crime of unlawful creation, possession, distribution**
23 **or purchase of an explicit digital forgery in the second degree if the person, with the intent**
24 **to harass, humiliate or injure another person and without the consent of the other person,**
25 **creates, possesses, distributes or purchases a sexually explicit digitally forged image that**
26 **appears to depict the other person.**

27 (2) **Unlawful creation, possession, distribution or purchase of an explicit digital forgery**
28 **in the second degree is a Class A misdemeanor.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **SECTION 3.** ORS 161.005 is amended to read:
2 161.005. ORS 161.005 to 161.055, 161.065, 161.085 to 161.125, 161.150 to 161.175, 161.190 to
3 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705
4 to 161.737, 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375,
5 162.405 to 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to
6 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285,
7 163.305 to 163.467, 163.429, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700,
8 163.701, 163.715, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377,
9 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815,
10 166.005 to 166.095, 166.119, 166.125, 166.128, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027,
11 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350,
12 167.810 and 167.820 **and sections 1 and 2 of this 2025 Act** shall be known and may be cited as
13 Oregon Criminal Code of 1971.
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